

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

WAC 308-47-010 Definitions. (1) **"Authorizing agent"** means the person(s) legally entitled to control the disposition of the human remains.

(2) ~~((("Crematory" the building or area of a building that houses a cremation chamber, to be used for the cremation of human remains.~~

~~(3)))~~ **"Crematory authority or endorsement"** the legal entity and their authorized representatives, licensed to perform cremations.

~~((4)))~~ (3) **"Cremation chamber"** means the enclosed space in a crematory in which the cremation process takes place.

~~((5))~~ **"Cremation"** means the reduction of human remains to bone fragments, in a crematory, by means of incineration.

~~(6)~~ **"Cremated human remains"** means the end products of cremation.

~~(7)))~~ (4) **"Pulverization"** is the reduction of identifiable bone fragments to unidentifiable dimensions by manual or mechanical means following cremation.

~~((8)))~~ (5) **"Processing"** is the removal of foreign objects from cremated human remains and may include pulverization.

~~((9)))~~ (6) **"Cremation container"** means the container in which the human remains must be enclosed before being placed in the cremation chamber for cremation. A cremation container must:

! Be composed of a combustible material. If the remains are delivered to a crematory in a noncombustible container, the authorizing agent must be informed of the disposition of the container, if the container is not actually used in the cremation process. Any transfer of human remains to combustible containers at the crematory must be in accordance with chapter 18.39 RCW, Title 308 WAC, and applicable public health laws.

! Be rigid enough for placement into the cremation chamber.

! Assure protection to the health and safety of the crematory operators and others.

! Provide a proper covering for the human remains.

! Be resistant to leakage or spillage of body fluids.

~~((10)))~~ (7) **"Sealable container"** means any container in which cremated human remains can be placed and closed to prevent leakage or spillage of cremated human remains.

~~((11)))~~ (8) **"Holding facility"** means an area designated for the care, storage and holding of human remains prior to disposition. A holding facility must:

! Comply with any applicable public health laws.

! Preserve the dignity of the human remains.

! Recognize the personal integrity, health and safety of employees and others.

! Be secure from access by anyone other than authorized personnel.

~~((12))~~ **"Human remains"** means the body of a deceased person.

~~(13)))~~ (9) **"Cadaver"** means ~~((the body of a deceased person,))~~ human remains or any part thereof, which ~~((has))~~ have been donated to science for medical research purposes.

~~((14)))~~ (10) **"Body parts"** means limbs and other portions of human anatomy that have been removed from a person or human remains for medical purposes during treatment, surgery, biopsy, autopsy or medical research.

~~((15)))~~ (11) **"Commingling"** means the mixing of cremated human remains of more than one deceased person.

((~~(16)~~)) (12) **"Residue"** means the cremation products that may unavoidably remain in the cremation chamber after manual sweeping techniques are performed.

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WAC 308-47-020 Identification of human remains. A crematory must not take custody of unidentified human remains. Before accepting human remains, the crematory must verify that identification is attached to the cremation container. Upon accepting human remains for cremation, the crematory must make a permanent record of the following:

- ! Name of deceased.
- ! Date of death.
- ! Place of death.
- ! Name and relationship of authorizing agent.
- ! Name of firm engaging crematory services.
- ! Description of the cremation container to be consumed with the human remains.

! An identification number assigned each human remains and inscribed on a metal disc or metal tag. The metal identification disc or tag must identify the crematory and accompany the human remains through each phase of the cremation, processing and packaging. The disc or tag identification number must be recorded on all paperwork regarding a human remains (~~and in the crematory log~~)).

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WAC 308-47-030 Holding human remains for cremation. (1) A crematory must not accept and hold human remains for cremation unless the human remains are contained in a cremation container.

(2) A crematory must not accept human remains in a cremation container having evidence of body fluid leakage.

(3) Human remains that are not embalmed must be held only within a mechanically or commercially acceptable refrigerated facility of adequate capacity, with a maximum temperature of 48 degrees Fahrenheit, or (~~in compliance with applicable public health regulations~~) as determined by chapter 246-500 WAC.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

WAC 308-47-070 Disposition of cremated human remains. (1) A crematory must keep a permanent record of all cremations performed and the disposition or release of the cremated human remains. The record must include the following information:

- ! Date of death.

! Date burial transit permit was issued.
! Date of delivery of human remains to the crematory.
! Date of cremation.
! Name of crematory operator performing the cremation.
! Name of person performing packaging, and date of packaging.
! Date of release (~~(or date of disposition)~~) of the cremated human remains and the name of the individual(s) to whom the cremated human remains were released; or
! Date of disposition of the cremated human remains.
(2) When cremated human remains have been in the possession of a crematory, funeral establishment or cemetery for a period of (~~(two years)~~) ninety days or more, the entity holding the cremated human remains may arrange for disposition in any legal manner, provided the entity:
! Attempts to contact the authorizing agent for disposition instructions by registered mail.
! Informs the authorizing agent(s) of the procedures that will be followed if disposition instructions are not received.
! Informs the authorizing agent(s) that disposition will take place if disposition instructions are not received within sixty days of initiation of the contact process.
! Informs the authorizing agent(s) that recovery of the cremated human remains, after the disposition, may or may not be possible.
! Maintains a permanent record of the location of the disposition.
(3) No entity making disposition of cremated human remains under subsection (2) of this section will be liable for the disposition or nonrecoverability of cremated human remains.